

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

NAVIGANT CONSULTING, INC., a
corporation,

Plaintiff,

v.

JAMES PETTERSSON, an individual; and
MILLIMAN, INC., a corporation,

Defendants.

NO. 2:18-cv-01154-JLR

**STIPULATION AND [REDACTED]
ORDER RE: PRELIMINARY
INJUNCTION, CERTAIN
DISCOVERY, AND RESPONSE TO
COMPLAINT**

NOTE ON MOTION CALENDAR:
August 14, 2018

I. STIPULATION

Plaintiff NAVIGANT CONSULTING, INC. ("Navigant") and Defendant JAMES

PETTERSSON ("Pettersson") and Defendant MILLIMAN, INC. ("Milliman"), by and through
their undersigned counsel of record, stipulate and agree as follows:

1. Pettersson shall not, directly or indirectly, solicit, induce or encourage any of
Navigant's employees to terminate their employment with Navigant.

2. Pettersson shall not, directly or indirectly, solicit any client or a prospective
client of Navigant for which Pettersson had responsibilities or duties, (b) possessed
Confidential Information regarding, or (c) was involved in the development of such client or
prospective client.

STIPULATION AND ORDER RE: PRELIMINARY
INJUNCTION, CERTAIN DISCOVERY, AND RESPONSE
TO COMPLAINT - 1
No. 2:18-cv-01154

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(206) 749-0500

1 3. Pettersson and Milliman shall not use or disclose confidential, proprietary or
2 trade secret information of Navigant.

3 4. Milliman shall not, directly or indirectly, solicit Navigant employees from
4 Navigant's Government Rate Setting practice. If a Navigant employee in the Government Rate
5 Setting Practices applies for a position with Milliman of his or her own volition and with no
6 involvement or information provided by Pettersson or Ben Mori ("Mori"), such does not
7 constitute solicitation, provided, however, that neither Pettersson nor Mori may be involved in
8 the hiring process as to any such Navigant employee who is an applicant for a position with
9 Milliman.

10 5. Milliman shall not solicit Navigant clients for Government Rate Setting business
11 through Pettersson or Mori, with information provided by Pettersson or Mori, or by identifying
12 Pettersson or Mori as being involved with any such work. Subject to and without waiver of the
13 foregoing, nothing in this order shall be construed as preventing Milliman from continuing to
14 service its existing customers even if such customers are also Navigant customers.

15 6. On or before August 17, 2018, Pettersson shall produce for inspection and
16 examination (a) the SanDisk Cruzer Glide USB thumb drive with the electronic serial number
17 4C530299940425102142 and (b) the USB flash disk with the electronic serial number
18 20080921004988 (collectively, the "USB Devices"), by Federal Express delivery to Elijah Ltd.,
19 c/o Jonathan D. Bobb, 205 W. Wacker Drive Suite 1950, Chicago, Illinois 60606 ("Plaintiff's
20 Forensic Examiner"). Plaintiff's Forensic Examiner shall create forensic images of the USB
21 Devices using industry standard methodologies and practices and shall maintain custody of the
22 forensic images pending agreement of the parties as to production protocol or further order of
23 the Court.


24 7. On or before August 17, 2018, Pettersson shall provide to Lighthouse c/o Matt
25 Schroder, 51 University Street, Suite 400, Seattle, WA 98101 ("Pettersson's Forensic
26 Examiner") the credentials to access the email accounts: (a) jpetersson1954@gmail.com; and
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(b) jimpettersson@petterssonassociates.com (the "Email Accounts"). Pettersson's Forensic Examiner shall forensically copy the Email Accounts using industry standard methodologies and practices and shall maintain custody of the copied email pending agreement of the parties as to production protocol or further order of the Court.

8. On or before August 17, 2018, the parties shall agree on an appropriate protocol to govern the examination of (a) the USB Devices by Plaintiff's Forensic Examiner and (b) the Email Accounts by Pettersson's Forensic Examiner.

9. Nothing within this order shall limit any party's right to seek additional discovery, including the examination of additional electronic devices.

10. Pettersson and Milliman shall answer or otherwise respond to the Complaint (Dkt. #1) on or before September 7, 2018.

11. All parties are required to preserve any ^{and} all evidence relating to the allegations in the Complaint. 

12. The Order Granting Motion For A Temporary Restraining Order (Dkt. #15) is hereby dissolved and the preliminary injunction hearing and hearing on Plaintiff's motion for expedited discovery previously scheduled for Thursday, August 16, 2018, at 10:30 a.m. is hereby stricken as moot.

13. Subject to the Court's approval, the foregoing terms shall be in effect and remain in effect pending further order of the Court or stipulation of the parties.

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RESPECTFULLY SUBMITTED this 14th day of August, 2018.

GOLDFARB & HUCK ROTH RIOJAS, PLLC

**OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.**

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Attorneys for Navigant Consulting, Inc.

II. ORDER

It is so **ORDERED**.

Dated: August 14, 2018.



The Honorable James L. Robart

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

DATED this 14th day of August 2018 at Seattle, Washington.


Gabriella Sanders